

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

JASON LEE VAN DYKE

v.

THOMAS RETZLAFF, et. al.

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CASE NO. 4:18-CV-00247

**OAK POINT POLICE CHIEF MICHAEL SHACKLEFORD'S
NOTICE OF COMPLIANCE WITH SUBPOENA [Dkt. 148-1 and 152]**

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW **MICHAEL SHACKLEFORD**, Movant,¹ pursuant to Federal Rule of Civil Procedure 45, and files his NOTICE OF COMPLIANCE WITH SUBPOENA, and would show as follows:

**I.
SUBPOENA for Oak Point Police Chief Shackelford**

On April 6, 2020, Oak Point Police Chief Michael Shackelford was served with a SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION [Dkt. 148-1, Dkt. 152] which commanded him to produce at “Hanzen LaPorte Law Offices, 14201 Memorial Drive, Houston, Texas, 77079”:²

The audio recording of Jason Lee Van Dyke and Isaac Marquardt, along with all of the text messages referenced in the felony obstruction / retaliation case your office investigated (Case # CO1901101), as well as copies of the yellow note pad that was later seized in that case, along with all photographs.

¹ Chief Shackelford is also the Defendant in federal litigation filed by Plaintiff Jason Van Dyke. See, *Jason Lee Van Dyke v. Mike Shackelford*, Cause No. 4:19-CV-00786, pending in the Eastern District of Texas before Hon. Judge Jordan.

² By agreement of counsel, responsive materials were emailed to Counsel for Retzlaff instead of producing them in Houston as the SUBPOENA commanded.

II.

Responsive Documents provided on April 17, 2020

On April 17, 2012, Counsel For Defendant Retzlaff was provided, by email, the following: (1) a copy of the audio recording, (2) the “yellow note pad” [1 page], and (3) text messages [5 pages] related to the Oak Point Police Department Case No. CO1901101 involving Jason Van Dyke for the felony offense of Obstruction or Retaliation [Texas Penal Code §36.06]. There are no photographs related to the Oak Point Police Department Case No. CO1901101.

III.

Chief Shackelford’s compliance with and release from SUBPOENA

Chief Shackelford has fully complied with his obligations under said SUBPOENA and should be and hereby is released from same.

IV.

Prayer For Relief

WHEREFORE, PREMISES CONSIDERED, MICHAEL SHACKLEFORD prays that the Court take notice of this NOTICE OF COMPLIANCE WITH SUBPOENA, and that he have such other relief, at law or in equity, to which he may show himself entitled.

Respectfully submitted,

By: /s/ Robert J. Davis

ROBERT J. DAVIS

State Bar No. 05543500

MATTHEWS, SHIELS, KNOTT,

EDEN, DAVIS & BEANLAND, L.L.P.

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ATTORNEYS FOR MOVANT

MICHAEL SHACKLEFORD

CERTIFICATE OF SERVICE

I hereby certify that on April 17, 2020, I electronically filed the foregoing document with the clerk of the Court for the Eastern District, using the electronic case filing system of the Court. The electronic case filing system sent a “Notice of Electronic Filing” to the following party of record who has consented in writing to accept this Notice as service of this document by electronic means:
Jason Van Dyke, Jeffrey Dorrell.

/s/ *Robert J. Davis*

ROBERT J. DAVIS